

REQUEST FOR WAIVER OF MAIN STUDIO RULE

Nature of the Proposal

One Ministries, Inc. ("OMI"), permittee of KORB (NCE-FM), Hopland, Florida, hereby requests a waiver of Section 73.1125(a) of the FCC's rules to permit it to locate KORB's studio in Santa Rosa, California. As shown below, there is good cause for such a waiver under Section 73.1125(b)(2) of the rules as applied to similarly-situated noncommercial educational FM stations.

OMI will not be operating KORB as a satellite of another NCE station. Instead, the proposal is to place the main studio in Santa Rosa, where OMI is headquartered and where it will, in any event, establish the new station's principal program production facilities and utilize its existing equipment for co-owned LPTV station, KQRM-LP, Santa Rosa, CA. The headquarters facility for OMI is approximately 42 air miles from Hopland and outside the authorized 60 dBu contour of BLED-20080408AEY (APP) and BPED-20081204AFE (APP). As shown below, because OMI will operate broadcast production facilities at its Santa Rosa headquarters in any event, establishing an additional fully-staffed studio at Hopland not only would be redundant, it would be a drain on precious resources and thus be counterproductive in terms of the station's efforts to meet its public service obligations.

A "non-satellite" waiver is needed in order to accommodate the immediate needs of the new station. The FCC has also previously granted a main studio waiver for the previous permittee of KORB-FM (Educational Media Foundation). For the previous main studio waiver, the main studio was 478.6 miles away. The current proposal is much more in the interest of the local community.

Cost Savings. OMI will produce radio programs for KORB from an existing studio facility at its headquarters in Santa Rosa which is easily accessible to senior OMI management and decision-makers. The facility has ample building space to accommodate an FM studio and it already houses a professional staff. This headquarters production facility will be interconnected to KORB through a microwave STL.

Equipment and Installation Costs. The costs for establishing a studio in Hopland have been estimated by OMI's engineering consultant to be \$29,000.00. This includes an eight-channel broadcast console, other control room equipment, a 1X6 phone hybrid, an automation system, control room furniture, shipping and handling, studio construction and installation, consulting fees, and related costs. These costs do not include EAS or STL equipment, which will be purchased in any event.

Staffing. Estimated annual costs for a least one full-time employee and two part-time employees at a Hopland studio are approximately as follows:

Station manager/announcer (including benefits)	\$60,000.00
Clerical/receptionist/acknowledgement sales	12,000.00
Contract engineer	<u>6,000.00</u>
Total	\$78,000.00

Operating Costs. The annual costs of operation of a separate Hopland studio facility are estimated as follows:

Rent (annually for 680 square feet of office space)	\$15,000.00
Utilities	3,400.00
Maintenance, janitorial and miscellaneous	<u>3,000.00</u>
Total:	\$21,400.00

Total Extra Costs. Using these figures, the total cost for construction of a Hopland studio and operating it for one year will be approximately \$128,400.00.

Impact of These Extra Costs. Most, if not all of these costs can be saved if the requested waiver is approved. As stated above, OMI's headquarters and program production facilities will remain in Santa Rosa in any event. A Hopland studio would at best be a lightly-manned outpost of this headquarters facility. There is little benefit to be gained from this arrangement, and much to be lost. OMI, itself a charitable organization, will be operating the new Hopland FM station as a non-commercial facility dependent on voluntary contributions. The additional cost for a redundant studio facility in Hopland will represent a significant drain on OMI's already small budget for programming. Indeed, OMI's views expenditures for a second studio facility as poor stewardship of donor dollars. These resources would be better put to use in acquiring high-quality programming and maintaining

experienced staff at the headquarters facility. From that location, OMI can produce local news, and educational and informational programs for broadcast on KORB.

Other Financial Issues

While OMI can budget for a "sales" person who would sell acknowledgment announcements and solicit contributions in the Hopland area, this effort would not come close to meeting the local operating costs outlined above. According to Wikipedia, the population of Hopland is 800 people, and the U.S. census data of 2000 lists the greater unincorporated Hopland area population to be 2,231 people. This small population is not sufficient to support a local studio operation, much less the larger overall costs of operating the station. For this reason, too, establishing a fully-staffed studio facility at Hopland would be counterproductive and threaten the long-term viability of the station.

Continuing Contacts with the Community

In order to assure the new FM station serves local needs and interests in Hopland and surrounding areas of Mendocino County, the following will be done:

- OMI conduct quarterly surveys of community leaders to stay abreast of the problems and needs of Hopland and surrounding communities. Management-level personnel from Santa Rosa will visit the community at least quarterly to consult with community leaders and ascertain community issues, and the station's programming staff will develop responsive programming.
- OMI will subscribe to newspapers published in Mendocino County.
- A community bulletin board program will be broadcast at least once weekly, and will include information and announcements concerning news and events in Hopland and the surrounding area.
- Based on the contacts outlined above, a more substantive public affairs program of 15-30 minutes in length and covering local issues will be broadcast weekly or monthly as needs dictate.
- A toll-free telephone line from Hopland to the Santa Rosa studio will be established and publicized over the air.

- A duplicate public file will be maintained in Hopland and updated when new material is added to the public file in Santa Rosa.

Summary

While the proposed Santa Rosa main studio will not feed a network of "satellite" noncommercial educational FM stations, as is the case with many other models where main studio waivers have been routinely approved, the public interest benefits of a waiver in this instance are even more compelling than in the standard waiver case. Over \$128,400.00 would be saved during the first year of operations alone, and that money would be available to increase staffing levels and produce better quality programming, including programs directed to the Hopland area. Hopland is a small community which cannot adequately support a stand-alone noncommercial radio station. Moreover, OMI's existing program production facilities will be expanded to accommodate KORB in any event. Thus, a second studio facility in Hopland is unnecessary and will cause significant hardships in terms of draining away resources that could be used to develop better programming. OMI will meet its public service responsibilities to Hopland, about 45 minutes away by car, through regular surveys and visits to the community and implementation of the other initiatives listed above. The cost savings which will be realized will permit the station to be responsive to the community's needs and to broadcast news and other information about the community in its bulletin board and other public affairs programs mentioned above. The toll-free telephone line from the community will make the main studio immediately available, at no cost, to Hopland-area residents. A complete public file will be placed in Hopland. This is much more than could be provided if the station were the satellite of a distant, out-of-state station.

Case Precedent for Waiver Approval

The Commission previously has granted waivers where, as here, significant cost savings were shown and the licensee demonstrated how, with a stand-alone station, it would still meet its public service obligations with a distant studio. See *Letter to Harry C. Martin, Esquire* (re WEQP, Pamplin City, Virginia, Facility ID 176875, August 20, 2008; *Letter to Harry C. Martin, Esquire* (re WWTE, Wellfleet, Massachusetts, Facility ID 122299), March 21, 2006; *Letter to Living Proof, Inc.* (re WTSE, Cypress Quarters, Florida, Facility ID 93012, File No. BMPED-20030206ACR), June 11, 2003 (unpublished); *Letter to Ernest T. Sanchez* (re KTBR AM/FM, Roseburg, Oregon, File Nos. BML-20020328AAB and BMLED-20020410AAO), released April 19, 2002 (unpublished); *Letter to Amelia L. Brown, Esquire* (re WMKV(FM), Reading, Ohio, File No. BMPED-19930616IA), released February 9, 1996 (unpublished). On the basis of these decisions, and the representations made above, the instant request also should be approved.

For the foregoing reasons, this waiver request should be granted.

Respectfully submitted,

ONE MINISTRIES, INC.